



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/749,637 | 12/28/2000 | Baldomero M. Olivera | 2314-227 |

CONFIRMATION NO. 4916

6449

ROTHWELL, FIGG, ERNST & MANBECK, P.C.
555 13TH STREET, N.W.
SUITE 701, EAST TOWER
WASHINGTON, DC 20004

FORMALITIES LETTER



OC000000006172535

Date Mailed: 06/12/2001

RECEIVED

AUG 20 2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

TECH CENTER 1600.2900

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$484.
 - \$324 for 18 total claims over 20.
 - \$160 for 2 independent claims over 3.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1324.**
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216

- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice MUST be returned with the reply.

He

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

2314-227
JLI:ch



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
Baldomero M. OLIVERA et al.)
Serial No. 09/749,637)
Filed: 28 December 2000)
For: O-SUPERFAMILY CONOTOXIN)
PEPTIDES)

BOX MISSING PARTS

RECEIVED

AUG 20 2001

Attention:

Applications Branch

TECH CENTER 1600 2900

RESPONSE TO NOTICE TO FILE MISSING PARTS

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to a Notice to File Missing Parts of Application under 37 CFR 1.53(b) dated 12 June 2001, response copy attached, four (4) Declaration and Power of Attorney documents identifying the above-referenced application by Serial Number and Filing Date are herewith submitted. Also attached is our check in payment of the following fees:

| | |
|---------------|-------------------------------------|
| \$ 65.00 | (surcharge under 37 C.F.R. 1.16(e)) |
| 355.00 | (basic filing fee) |
| <u>242.00</u> | (additional claims fee) |
| \$ 662.00 | TOTAL |


Please charge any additional fees or credit any overpayment for the payment of the filing fee, any extra claims fees or the surcharge to Deposit Account No. 02-2135. An additional copy of this letter is enclosed for that purpose.

The following documents are being submitted concurrently
under separate cover:

- * three (3) assignments, with recordation
cover sheets and with checks for fees

Respectfully submitted,

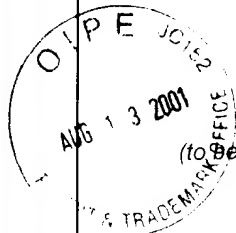
By



Jeffrey L. Ihnen
Attorney for Applicants
Registration No. 28,957
ROTHWELL, FIGG, ERNST & MANBECK, p.c.
Suite 701-E, 555 13th Street, N.W.
Washington, D.C. 20004
Telephone: (202) 783-6040

Dated: 13 August 2001

Box Missing PARTS
Box Seq / 1646



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Complete if Known

| | |
|------------------------|----------------------|
| Application Number | 09/749,637 |
| Filing Date | 28 December 2000 |
| First Named Inventor | Baldomero M. OLIVERA |
| Examiner Name | unassigned |
| Group Art Unit | 1646 |
| Attorney Docket Number | 2314-227 |

Total Number of Pages in This Submission - 185

ENCLOSURES (check all that apply)

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Assignment Papers | <input type="checkbox"/> After Allowance Communication to Group |
| <input checked="" type="checkbox"/> Fee Attached | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input checked="" type="checkbox"/> Amendment/Preliminary | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | (a) Copy of PTO Notices |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Refund | (b) Statement Pursuant to 37 CFR 1.821(f) with diskette |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) | |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application | | |
| <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

REMARKS:

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AUG 20 2001

TECH CENTER 1600, 2900

| | | | | | |
|----------------------|-----------------------------------|--------------------------|----------------|-------------------------|---------|
| SUBMITTED BY | | Complete (if applicable) | | | |
| NAME AND REG. NUMBER | Jeffrey L. Ihnen, Reg. No. 28,957 | | | | |
| SIGNATURE | | DATE | 13 August 2001 | DEPOSIT ACCOUNT USER ID | 02-2135 |

**FEE TRANSMITTAL
for FY 2001
(Small Entity)**

Complete if Known

| | |
|------------------------|----------------------|
| Application Number | 09/749,637 |
| Filing Date | 28 December 2000 |
| First Named Inventor | Baldomero M. OLIVERA |
| Examiner Name | unassigned |
| Group Art Unit | 1646 |
| Attorney Docket Number | 2314-227 |

Total Amount of Payment (\$ 662.00)

RECEIVED

AUG 29 2001

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge additional fees and credit any overpayment to Deposit Account Number 02-2135 in the name of Rothwell, Figg, Ernst & Manbeck
- ☒ Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☒ Applicant claims small entity status.
2. ☒ Payment Enclosed:
☒ Check
☐ Credit Card

FEE CALCULATION (continued)

TECH CENTER 1600-2900

3. ADDITIONAL FEES

| Fee Code | Fee Paid | Fee Description | Fee Paid |
|---------------------|----------|--|----------|
| 205 | 65 | Surcharge - late filing fee or oath | [65.00] |
| 227 | 25 | Surcharge - late provisional filing fee or cover sheet | [] |
| 139 | 130 | Non-English specification | [] |
| 147 | 2,520 | For filing a request for reexamination | [] |
| 112 | 920 | Requesting publication of SIR prior to Examiner action | [] |
| 113 | 1,840* | Requesting publication of SIR after Examiner action | [] |
| 215 | 55 | Extension for reply within first month | [] |
| 216 | 195 | Extension for reply within second month | [] |
| 217 | 445 | Extension for reply within third month | [] |
| 218 | 695 | Extension for reply within fourth month | [] |
| 228 | 945 | Extension for reply within fifth month | [] |
| 219 | 155 | Notice of Appeal | [] |
| 220 | 155 | Filing a brief in support of an appeal | [] |
| 221 | 135 | Request for Oral Hearing | [] |
| 138 | 1,510 | Petition to institute a public use proceeding | [] |
| 240 | 55 | Petition to revive -unavoidable | [] |
| 241 | 640 | Petition to revive - unintentional | [] |
| 242 | 620 | Utility issue fee (or reissue) | [] |
| 243 | 220 | Design issue fee | [] |
| 244 | 300 | Plant issue fee | [] |
| 122 | 130 | Petitions to the Commissioner | [] |
| 123 | 50 | Processing fee under 37 CFR 1.17(q) | [] |
| 126 | 180 | Submission of Information Disclosure Statement | [] |
| 581 | 40 | Recording each patent assignment per property (times number of properties) | [] |
| 246 | 355 | Filing a submission after final rejection (37 CFR .129(a)) | [] |
| 249 | 355 | For each additional invention to be examined (37 CFR 1.129(b)) | [] |
| 279 | 355 | Request for Continued Examination (RCE) | [] |
| 169 | 900 | Request for expedited examination of a design application | [] |
| 195 | 300 | Publication fee for early, voluntary, or normal publication | [] |
| 196 | 300 | Publication fee for republication | [] |
| 089 | 200 | Filing an application for patent term adjustment | [] |
| 090 | 400 | Request for reinstatement of term reduced | [] |
| Other fee (specify) | | | [] |

FEE CALCULATION

1. FILING FEE

| Fee Code | Fee \$ | Fee Description | Fee Paid |
|----------|--------|------------------------|----------|
| 201 | 355 | Utility filing fee | [355.00] |
| 206 | 160 | Design Filing Fee | [] |
| 207 | 245 | Plant Filing Fee | [] |
| 208 | 355 | Reissue Filing Fee | [] |
| 214 | 75 | Provisional Filing Fee | [] |

SUBTOTAL \$355.00

2. CLAIMS

| Total Claims | Independent Claims | Multiple Dependent Claims | Extra Claims | Fee | Fee Paid |
|--------------|--------------------|---------------------------|--------------|------|----------|
| [38] | - 20** = [18] | x | \$ 9 = | | [162.00] |
| | [5] | - 3** = [2] | x | 40 = | [80.00] |
| | | + | 135 = | | [] |

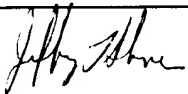
**or number previously paid, if greater;

SUBTOTAL \$242.00

* Reduced by Basic Filing Fee Paid

SUBTOTAL

\$65.00

| | | | | | |
|----------------------|---|--------------------------|----------------|----------------------|---------|
| SUBMITTED BY | | Complete (if applicable) | | | |
| NAME AND REG. NUMBER | Jeffrey L. Ihnen, Reg. No. 28,957 | | | | |
| SIGNATURE |  | DATE | 13 AUGUST 2001 | DEPOSIT ACCT USER ID | 02-2135 |